

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BECKLEY DIVISION

THOMAS SHEPPHEARD, *ET AL.*,

Plaintiffs,

vs.

Civil Action No. 5:23-cv-00530

JAMES C. JUSTICE, JR.,
in his official capacity as Governor of the State of
West Virginia, *ET AL.*,

Defendants.

ORDER

Pending before the Court is *Governor Justice's Motion for Protective Order* (ECF No. 47), filed on March 20, 2024. At bottom, the Governor seeks a protective order concerning his upcoming deposition, currently scheduled for next Wednesday, March 27, 2024, beginning at 9:00 a.m., and asserts that this has been noticed (see ECF No. 36), despite not yet having received any written discovery responses or taken any other depositions.

Given the imminent deposition, and that the parties have not yet briefed the issue as to why the Governor's deposition is imperative in this matter, the undersigned hereby **GRANTS** the *Motion, only to the extent to protect this party from being deposed next week*. In accordance with the Local Rules governing motions practice, the Plaintiffs are instructed to file their written response to the Governor's Motion no later than April 3, 2024, and that any reply to same be filed no later than April 10, 2024. The undersigned further directs the Plaintiffs to explain the grounds

supporting their argument why the Governor should sit for a deposition in this case. After the briefing is completed, the Court will decide whether a formal hearing on this issue is necessary.

The Clerk is requested to distribute a copy of this Order to all counsel of record.

ENTER: March 21, 2024.



A handwritten signature in blue ink, reading "Omar J. Aboulhosn".

Omar J. Aboulhosn
United States Magistrate Judge